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Attorneys for Defendant  
CAPEL, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO

LUANNE S. JORDAN,

Plaintiff,

v.

CAPEL, INCORPORATED, and Does 1  
through 60, inclusive,

Defendants.

CASE NO. C054939 SI

**AMENDED STIPULATION AND  
[PROPOSED] ORDER TO DELAY  
COMPLETION OF MEDIATION  
AND RESCHEDULE STATUS  
CONFERENCE**

**COMPLAINT FILED:**

October 31, 2005

continued to 9/1/06

The parties, through their respective counsel, seek to amend certain Court ordered dates and schedules for this case by amending a previous stipulation and order which delayed the date for completion of mediation. The parties now wish to amend the scheduled date for a Case Management Conference to take place as a status conference which previous to this stipulation and [proposed] order was scheduled for July 21, 2006.

1. October 31, 2005, plaintiff Luanne S. Jordan ("Jordan" or "plaintiff") filed a

1 civil action in the Superior Court, City and County of San Francisco, against defendant Capel, Inc.  
2 (“Capel” or “defendant”). Defendant removed the action to this Court pursuant to 28 U.S.C. §  
3 1441(b).

4 2. Plaintiff alleges, inter alia, breach of contract, fraud, unfair business practices,  
5 violations of the California Labor Code, and bad faith. Defendant denies all such allegations.

6 3. The Court ordered, in consultation with the parties, at the conclusion of a Case  
7 Management Conference on March 30, 2006 a schedule and certain dates for the parties to accomplish  
8 specified events.

9 4. The parties previously agreed that the discovery process was and is taking  
10 longer than originally anticipated and stipulated to request that completion of mediation be delayed to  
11 July 30, 2006 and the Court so ordered.

12 5. The parties have agreed to mediation which is now scheduled for July 28,  
13 2006.

14 6. There is a second Case Management Conference scheduled as a status  
15 conference on July 21, 2006.

16 7. In view of the schedule for the mediation the parties hereby stipulate to  
17 REQUEST that the status conference of July 21, 2006 be delayed to ~~August 28, 2006~~ September 1, 2006  
18 or as soon  
19 thereafter as the Court may place it on the Court’s calendar and hereby REQUEST that the Court shall  
20 so order.

21 8. The other Court ordered dates shall remain as previously ordered.

22  
23  
24  
25 DATED: JULY 14 , 2006

KAUFF MCLAIN & MCGUIRE LLP

26  
27 /S/ Matthew P. Vandall  
JEFFREY C. POLSKY  
MATTHEW P. VANDALL  
28 ATTORNEYS FOR DEFENDANT CAPEL,  
INC.

**I HEREBY ATTEST THAT I HAVE ON FILE ALL HOLOGRAPH SIGNATURES FOR ANY SIGNATURES INDICATED BY A “CONFORMED” SIGNATURE (/S/) WITHIN THIS EFILED DOCUMENT.**

DATED: JULY 14, 2006

LAW OFFICE OF WILLIAM H. PAYNTER

/S/

WILLIAM H. PAYNTER  
ATTORNEY FOR PLAINTIFF  
LUANNE S. JORDAN

IT IS SO ORDERED:

DATE : JULY \_\_\_\_\_, 2006

SUSAN ILLSTON  
JUDGE, U.S. DISTRICT COURT